H.440
Introduced by Representatives Rachelson of Burlington, Burke of Brattleboro,
O'Sullivan of Burlington, Weed of Enosburgh, and Young of
Glover
Referred to Committee on
Date:
Subject: Agriculture; livestock; poultry; raised humane
Statement of purpose of bill as introduced: This bill proposes to require the
Secretary of Agriculture, Food and Markets, at the request of a producer of
livestock or poultry, to inspect the farm or facility where the livestock or
poultry was raised or slaughtered in order to certify that the livestock or
poultry was humanely raised, handled, and slaughtered. Qualified third-party
organizations would be authorized to certify the livestock or poultry as
humanely raised, handled, and slaughtered.
An act relating to certifying livestock and poultry as humanely raised, handled, and slaughtered

1	It is hereby enacted by the General Assembly of the State of Vermont:
2	Sec. 1. 6 V.S.A. § 3302 is amended to read:
3	§ 3302. DEFINITIONS
4	As used in this chapter, except as otherwise specified, the following terms
5	shall have the meanings stated below:
6	* * *
7	(2) "Animal food manufacturer" means any person engaged in the
8	business of preparing animal, including poultry, food derived wholly or in part
9	from livestock or poultry carcasses or parts or products of carcasses.
10	* * *
11	(5) "Commercial processor" means any person who maintains an
12	establishment under this chapter for the purpose of processing livestock, meat,
13	meat food product, poultry, or poultry product other than for the exclusive use
14	in the household of the owner of the commodity, by him or her and members
15	of his or her household and his or her nonpaying guests and employees.
16	* * *
17	(7) "Secretary" means the Secretary of Agriculture, Food and Markets
18	or designee.
19	* * *

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1	(18) "Label" means a display of written, printed, or graphic matter upon
2	any product or the immediate container, not including package liners, of any
3	product.
4	(19) "Labeling" means all labels and other written, printed, or graphic
5	matter:
6	(A) upon any product or any of its containers or wrappers; or
7	(B) accompanying the product.
8	* * *
9	(21) "Livestock" means any cattle, sheep, swine, goats, domestic
10	rabbits, horses, mules, or other equines, whether live or dead.
11	(22) "Livestock product" means any carcass, or part of a carcass, meat,
12	or meat food product of any livestock.
13	(23) "Meat" means the part of the muscle of any cattle, sheep, swine,
14	goats, horses, mules, or other equines which is skeletal or which is found in the
15	tongue, in the diaphragm, in the heart, or in the esophagus, with or without the
16	accompanying and overlying fat, and the portions of bone, skin, sinew, nerve,
17	blood vessels that normally accompany the muscle tissue and that does not
18	include the muscle found in the lips, snout, or ears.
19	(24) "Meat food product" and "meat product" mean any product capable
20	of use as human food which is made wholly or in part from any meat or other

portion of the carcass of any cattle, sheep, swine, domestic rabbits, or goats,

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1 excepting products which are exempted from definition as a meat food product 2 by the Secretary under conditions which he or she may prescribe to assure that 3 the meat or other portions of carcass contained in products are unadulterated 4 and that products are not represented as meat food products. This term as 5 applied to food products of equines shall have a meaning comparable to that 6 provided in this subdivision with respect to cattle, sheep, swine, domestic 7 rabbits, and goats. 8 \* \* \* 9 (31) "Person" includes any individual, partnership, corporation, 10 association, or other business unit, and any officer, agent, or employee. \* \* \* 11 12 (33) "Poultry" means any domesticated bird, whether live or dead. 13 (34) "Poultry product" means any poultry carcass or part of a carcass; or 14 any product which is made wholly or in part from any poultry carcass or part 15 of a carcass, excepting products which are exempted by the Secretary from 16 definition as a poultry product under conditions which he or she may prescribe 17 to assure that the poultry ingredients in products are not adulterated, and that 18 these products are not represented as poultry products. 19 \* \* \* 20 (46) "Animal welfare inspection and certification program" means an

entity that provides an animal welfare inspection and certification program

1	with objective standards for the humane treatment of livestock and poultry,
2	including:
3	(A) standards regarding rearing, transport, slaughter, space
4	allowance, enrichment, pain control, physical alterations, and ability to engage
5	in natural behaviors;
6	(B) a prohibition on routine caging, crating, and tethering of animals;
7	(C) publicly accessible manuals on its animal welfare standards,
8	operations, and programs; and
9	(D) routine onsite audits that require 100 percent compliance to
10	standards by independent auditors.
11	(47) "Farm" means a parcel or parcels of land owned, leased, or
12	managed by a person and devoted primarily to farming, as that term is defined
13	<u>in 10 V.S.A. § 6001.</u>
14	(48) "Humanely raised, handled, and slaughtered" means livestock or
15	poultry was raised on a farm and subsequently handled and slaughtered on a
16	farm or in a facility according to objective standards for humane treatment of
17	livestock and poultry.
18	(49) "Producer" means a person who raises livestock or poultry for
19	slaughter.

1	Sec. 2. 6 V.S.A. § 3320 is added to read:
2	§ 3320. CERTIFICATION OF LIVESTOCK OR POULTRY AS
3	HUMANELY RAISED, HANDLED, AND SLAUGHTERED
4	(a) Establishment; rules.
5	(1) The Secretary shall establish a program within the Food Safety and
6	Consumer Protection Division to provide livestock and poultry producers with
7	technical and financial assistance in certifying livestock or poultry as
8	humanely raised, handled, and slaughtered.
9	(2) The Secretary may adopt by rule objective standards for certifying
10	livestock or poultry as humanely raised, handled, and slaughtered.
11	(b) Certification.
12	(1) The Secretary, upon the request of a livestock or poultry producer,
13	<u>shall:</u>
14	(A) inspect a farm or facility in order to certify that livestock or
15	poultry from the producer's farm satisfy the Secretary's rules for humane
16	raising, handling, and slaughter of livestock and poultry; or
17	(B) arrange for a qualified third-party organization to inspect a farm
18	or facility in order to certify that livestock or poultry from the producer's farm
19	were humanely raised, handled, and slaughtered.
20	(2) Within 30 days of receipt of a request for third-party certification,
21	the Secretary shall schedule the inspection or shall schedule with the producer

1	a date for inspection by a third-party organization. An inspection can be
2	completed in phases or over a specified time period to allow for each phase of
3	inspecting how the livestock or poultry was raised, handled, and slaughtered.
4	(3) A certification shall be valid for the term of certification of the
5	qualified third-party organization conducting the inspection or one year,
6	whichever is greater.
7	(c) Approved third-party certification.
8	(1) The following third-party organizations are approved to conduct
9	certifications under subsection (b) of this section:
10	(A) Animal Welfare Approved;
11	(B) the Humane Farm Animal Care Certified Humane Program;
12	(C) the Global Animal Partnership; or
13	(D) any other animal welfare inspection and certification program
14	approved by the Secretary of Agriculture, Food and Markets.
15	(2) A third-party organization approved under subdivision (1) of this
16	subsection shall conduct the inspection and certification according to the
17	organization's standards, which, for purposes of this chapter, shall be deemed
18	equivalent to any standards that may be adopted by rule by the Secretary for
19	certifying livestock or poultry as humanely raised, handled, and slaughtered.
20	(d) Costs. The Secretary shall pay for the costs of certification by a third-
21	party organization under subsection (b) of this section from the budget of the

1	Agency of Agriculture, Food and Markets' Food Safety and Consumer
2	Protection Division.
3	(e) Label. In addition to a label authorized by a third-party organization
4	certifying livestock or poultry as humanely raised, handled, and slaughtered, a
5	livestock or poultry producer, an animal food manufacturer, or a commercial
6	processor may also label meat, livestock products, or poultry products made in
7	whole or in part from the certified livestock or poultry as "Vermont certified
8	humanely raised or handled."
9	Sec. 3. 6 V.S.A. § 359 is added to read:
10	§ 359. LABEL; CERTIFIED HUMANELY RAISED, HANDLED, AND
11	SLAUGHTERED
12	Upon certification of poultry as humanely raised, handled, and slaughtered
13	under section 3320 of this title, a person may label a container of eggs
14	produced from the certified poultry with a label authorized under subsection
15	3320(e) of this title.
16	Sec. 4. 6 V.S.A. § 2817 is added to read:
17	§ 2817. LABEL; CERTIFIED HUMANELY RAISED, HANDLED, AND
18	SLAUGHTERED
19	Upon certification of livestock as humanely raised, handled, and
20	slaughtered under section 3320 of this title, a person may label retail packages

1	of dairy products and fluid dairy products produced from the certified livestock
2	with a label authorized under subsection 3320(e) of this title.
3	Sec. 5. 6 V.S.A. § 2857 is amended to read:
4	§ 2857. LABEL; CERTIFIED HUMANELY RAISED, HANDLED, AND
5	SLAUGHTERED
6	Upon certification of livestock as humanely raised, handled, and
7	slaughtered under section 3320 of this title, a person may label frozen desserts
8	produced from milk from the certified livestock with a label authorized under
9	subsection 3320(e) of this title.
10	Sec. 6. RULES; CERTIFICATION HUMANELY RAISED, HANDLED,
11	AND SLAUGHTERED; SUBMISSION TO GENERAL ASSEMBLY
12	(a) Any rules adopted by the Secretary of Agriculture, Food and Markets
13	under 6 V.S.A § 3320(a)(2) regarding objective standards for certifying
14	livestock or poultry as humanely raised, handled, and slaughtered shall
15	supplement and shall be in addition to requirements of or rules adopted under
16	6 V.S.A. chapter 201 for the humane slaughter of livestock.
17	(b) If the Secretary of Agriculture, Food and Markets elects under 6 V.S.A.
18	§ 3320(a)(2) to adopt by rule objective standards for certifying livestock or
19	poultry as humanely raised, handled, and slaughtered, the Secretary shall, prior
20	to filing under 3 V.S.A. § 841, submit a copy of the proposed rules to the

1	House Committee on Agriculture and Forestry and the Senate Committee on
2	Agriculture for review for consistency with legislative intent.
3	Sec. 7. EDUCATION AND OUTREACH; REPORT
4	(a) The Secretary of Agriculture, Food and Markets shall conduct outreach
5	and education for livestock and poultry producers regarding the potential of the
6	producer under 6 V.S.A. § 3320 to request certification of livestock or poultry
7	as humanely raised, handled, and slaughtered. The education and outreach
8	shall specify how a producer may request certification and the applicable
9	standard for certification. The education and outreach may include educational
10	materials, workshops, or classes regarding certification under 6 V.S.A. § 3320.
11	(b) On or before January 15, 2018, and annually thereafter, the Secretary of
12	Agriculture, Food and Markets shall submit to the House Committee on
13	Agriculture and Forestry and the Senate Committee on Agriculture a report
14	summarizing the number of livestock or poultry producers requesting and
15	achieving certification of livestock or poultry as humanely raised, handled, and
16	slaughtered under 6 V.S.A. § 3302. The report may include recommendations
17	by the Secretary for improvement or amendment to certification under
18	<u>6 V.S.A. § 3303.</u>
19	Sec. 8. EFFECTIVE DATE
20	This act shall take effect on July 1, 2017.